

**THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

MFB Fertility, Inc.,

Plaintiff,

v.

Action Care Mobile Veterinary Clinic, LLC,

Defendant.

Case No. 1:23-cv-03854

Dist. Judge John J. Tharp Jr.

Mag. Judge Gabriel A. Fuentes

UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES

NOW COMES Defendant/Counter-plaintiff Action Care Mobile Veterinary Clinic, LLC (“Action Care”), by and through its counsel, and hereby requests leave to file Action Care’s reply brief [ECF No. 57] (“Reply”) in support of Action Care’s Motion for Leave to File First Amended Answer, Affirmative Defenses, and Counterclaims [ECF No. 53] (“Motion to Amend”), which Reply exceeds page limits set forth by local rules. In support of this filing, Action Care states as follows:

1. Local rules generally require that reply briefs in support of a motion be no more than 10 pages long without leave of court upon a showing of good cause.
2. The body of Action Care’s Reply is 13 pages long. In addition to these pages, the Reply also contains a caption, signature block, table of contents, and table of citations. None of these additional elements count toward the page limit.
3. As set forth in this motion, Action Care believes that good cause exists for the filing of excess pages.
4. On May 7, 2025, Action Care filed its Motion to Amend. The Motion to Amend, which was under 13 pages long – well under the 15-page limit permissible for briefs in support of a single motion under Local Rule 7.1 – presented arguments relating to appropriateness of Action Care’s filing of two additional counterclaims. In addition, Action Care incorporated arguments into the Motion to Amend as to why it would be appropriate for the Court to take judicial notice of certain

materials. Action Care did so for purposes of judicial efficiency, in lieu of filing a separate motion seeking judicial notice.

5. The Reply addresses arguments presented by Plaintiff/Counter-defendant MFB Fertility, Inc. (“MFB”) in MFB’s response brief [ECF No. 56] (“Response”) to the Motion to Amend.

6. Action Care believes in good faith that the Reply does not contain any new arguments that were not presented by Action Care in its Motion to Amend or that were not introduced in MFB’s Response.

7. Action Care’s Reply is substantially less than the 20-page limit that would be permissible if two motions were filed separately, with a separate reply brief for each.

8. On June 9, 2025, Action Care’s counsel asked via email whether MFB’s counsel would oppose Action Care’s Reply being 13 pages. On June 10, 2025, MFB’s counsel responded via email that MFB did not oppose Action Care’s proposed motion for leave to file excess pages.

WHEREFORE, Action Care respectfully requests that Action Care be granted leave to file a reply brief in excess of 10 pages.

Dated: June 11, 2025

Respectfully submitted,

ACTION CARE MOBILE VETERINARY CLINIC, LLC

By: /s/ Ilya G. Zlatkin

Ilya G. Zlatkin

ZLATKIN CANN ENTERTAINMENT

4245 North Knox Avenue

Chicago, Illinois 60641

Email: ilya@zce.law

Attorney for Defendant Action Care Mobile Veterinary Clinic, LLC